level selected from a predetermined set of levels for at least one character factor of affection, sincerity, delicacy, action and courage.

14.   (NEW) A computer readable medium for storing instructions, which when executed by a computer, causes the computer to perform the steps of:

analyzing a user's answers to a predetermined questionnaire to obtain a character analysis of the user; and

planning a selected event based at least in part on the character analysis of the user.

15.   (NEW) The computer readable medium according to claim 14, including analyzing the user's answers utilizing a predetermined neural network.

16.   (NEW) The computer readable medium according to claim 15, wherein utilizing a predetermined neural network to analyze the user's answers includes assigning a level from a predetermined set of levels for each character factor of affection, sincerity, delicacy, action and courage, and using levels obtained to set a character rating.

17.   (NEW) The computer readable medium according to claim 14, further including planning the selected event based at least in part on user-specific data stored in a data base.

<div style="text-align:center">REMARKS</div>

INTRODUCTION:

Claims 1-3 and 9 have been amended. New claims 12-17 have been added. In accordance with the foregoing, no new matter is being presented, and approval and entry are respectfully requested.

Claims 1-17 are pending and under consideration.

REJECTION UNDER 35 U.S.C. § 102(e):

In the Office Action, at page 2, claims 1-4 and 8-10 were rejected under 35 U.S.C. §

102(e), as being anticipated by Worthington (hereafter, <u>Worthington</u>) (U.S.P.N. 6,442,527). These rejections are traversed and reconsideration is requested.

Claim 1 has been amended to add "a predetermined property" for clarification. Claim 9, a computer readable medium that includes instructions that a computer utilizes to perform the method of the invention implemented by the apparatus of claim 1, has also been amended in correspondence with the amendment to claim 1. Claim 10 already contains the language "<u>a predetermined property of the user</u>," which is a distinguishing characteristic of the present invention over <u>Worthington</u>. As is clear from SA17 in FIG. 13, FIG. 18 and FIG. 19 of the present invention, the questionnaire unit of claim 1 provides a questionnaire for analyzing <u>a predetermined property</u>, such as character and preference, <u>of the user</u>. Character and preference of the user may be determined, for example, by a neural network that assigns a value for a user to a level of, for example, courage, using the user's answers to a questionnaire. On the other hand, <u>Worthington</u>'s questionnaire only collects data of an event and does not analyze a predetermined property of the user. <u>Worthington</u>, col. 7, lines 8-20, specifies generating a calendar and task list using a processing mechanism that organizes the data into either the calendar framework or the task list framework. The analysis unit of claim 1 analyzes the predetermined property of the user based on the answer to the questionnaire. In contrast, <u>Worthington</u> only teaches categorizing the data inputted by the user into appointment data and task data. The planning unit of claim 1 automatically selects a plan data from the plan data base, which stores categorized plan data in advance, based on the input initial conditions and the analysis of the predetermined property of the user. <u>Worthington</u>, however, only shows the data inputted by the user with no additional information about a property of a user.

Thus, the automatic planning apparatus in claim 1 of the present invention analyzes the predetermined property of the user and selects a plan data from the data base which is created in advance to store a plurality of categorized plan data, based on the predetermined property of the user. Claims 9 (as amended) and 10 correspond to claim 1. <u>Worthington</u> does not teach or suggest an apparatus that forms a plan data based on the analysis of the predetermined property of the user. The courts have held that the Examiner may not suggest modifying the reference using the present invention as a template absent a suggestin of the desirability of the modification in the cited art. *In re Fritch*, 23 U.S.P.Q. 2d 1780 (Fed. Cir. 1992). Therefore, claims 1, 9 and 10 of the present invention are patentable over <u>Worthington</u>.

Since claims 2-4 and 8 depend from amended claim 1, claims 2-4 and 8 are allowable for at least the reasons that claim 1 is allowable.

In view of the above clarification, it is respectfully submitted that claims 1-4 and 8-10 are allowable under 35 U.S.C. § 102(e) in view of Worthington (U.S.P.N. 6,442,527).

REJECTION UNDER 35 U.S.C. § 103:

In the Office Action, at page 7, claims 5-7 and 11 were rejected under 35 U.S.C. § 103 as being unpatentable over Worthington (hereafter, Worthington) (U.S.P.N. 6,442,527) in view of Huemoeller et al. (hereafter, Huemoeller) (U.S.P.N. 5,855,006). These rejections are traversed and reconsideration is requested.

It is respectfully submitted that dependent claims incorporate the limitations of the claims from which they depend. Thus, claims 5-7 incorporate the limitations of amended claim 1 and claim 11 incorporates the limitations of claim 10, which specifies that the invention creates a questionnaire based on which a "predetermined property of the user can be analyzed." Hence, claims 5-7 and 11 are patentable for at least the reasons that claims 1 and 10 are patentable.

Thus, it is respectfully submitted that claims 5-7 and 11 are allowable under 35 U.S.C. § 103 in view of the prior art of record.

It is respectfully submitted that claims 1-17 are now allowable over the prior art of record.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance, which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a

telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: __Dec. 11, 2002__   By: _____

                                  Mark J. Henry
                                  Registration No. 36,162

700 Eleventh Street, NW, Suite 500
Washington, D.C. 20001
(202) 434-1500

VERSION WITH MARKINGS TO SHOW CHANGES MADE

<u>IN THE CLAIMS</u>:

Please amend claims 1-3 and 9 as follows:

1.   (ONCE AMENDED) An automatic planning apparatus, which automatic planning apparatus is connected through a network to at least one client, which client is operated by the user, said automatic planning apparatus comprising:

a questionnaire unit which creates and provides a questionnaire for analyzing <u>a predetermined property of</u> the user through said network;

an analysis unit which receives the answers to the questionnaire and analyzes <u>the predetermined property of</u> the user based on a predetermined analysis method by considering the answers;

an input unit for inputting the initial conditions required for executing the planning on an event desired by the user; and

a planning unit for forming a schedule for the preparation and execution of the event based on the input initial conditions and the analysis <u>of the predetermined property of the user</u> by said analysis unit.

2.   (ONCE AMENDED) The automatic planning apparatus according to claim 1, further comprises a storage unit which stores [a] planning data on the event produced for each of a plurality of patterns as a classification <u>of the predetermined property</u> of the user,

wherein said planning unit recognizes a pattern corresponding to the user based on the analysis <u>of the predetermined property of the user</u> by said analysis unit, reads the plan data corresponding to the recognized pattern from said storage unit, and plans the schedule based <u>on</u> the read plan data.

3.   (ONCE AMENDED) The automatic planning apparatus according to claim [1] <u>2</u>, wherein said storage unit has stored therein [the] detailed data required by the user for preparation and execution of the event, and said planning unit supplies said detailed data in addition to the plan data in response to a request from the user.

9.   (ONCE AMENDED) A computer readable medium for storing instructions, which when executed by a computer, causes the computer to perform the steps of:

creating and providing a questionnaire to a user for analysis of <u>a predetermined</u>

property of the user through the network;

analyzing the predetermined property of the user based on a predetermined analysis method by considering the answers to the questionnaire;

inputting initial conditions required for executing the planning for an event desired by the user; and

planning a schedule for the preparation and execution of the event based on the input initial conditions and the analysis of the predetermined property of the user.

12.   (NEW) The automatic planning apparatus according to claim 2, wherein the predetermined property is a character rating based on a character analysis of the user using answers to the questionnaire.

13.   (NEW) The automatic planning apparatus according to claim 12, wherein the analysis unit performs the character analysis by determining the character rating based on a level selected from a predetermined set of levels for at least one character factor of affection, sincerity, delicacy, action and courage.

14.   (NEW) A computer readable medium for storing instructions, which when executed by a computer, causes the computer to perform the steps of:

analyzing a user's answers to a predetermined questionnaire to obtain a character analysis of the user; and

planning a selected event based at least in part on the character analysis of the user.

15.   (NEW) The computer readable medium according to claim 14, including analyzing the user's answers utilizing a predetermined neural network.

16.   (NEW) The computer readable medium according to claim 15, wherein utilizing a predetermined neural network to analyze the user's answers includes assigning a level from a predetermined set of levels for each character factor of affection, sincerity, delicacy, action and courage, and using levels obtained to set a character rating.

17.   (NEW) The computer readable medium according to claim 14, further including planning the selected event based at least in part on user-specific data stored in a data base.